REMARKS

Claims 1 through 30 are pending in this application and in view of the foregoing amendments and the following remarks are believed to be in condition for allowance.

Claims 1-30 were rejected as obvious and unpatentable in view of the combined teachings of U.S. Patent No. 5,798,752 to Buxton et al and the cited publication, *"CIM Perspectives; Part Program Translation/Emulation,* by Golden E. Herrin, Product Manager, Seimens, Inc., published through MMS online on September 11th 2001, after the priority date of the instant application.

These rejections are believed to be obviated in view of the foregoing amendments and the following remarks.

Rejection of Claims 1-30 Under 35 USC 103(a):

Claims 1-30 have been rejected under 35 USC 103(a) as being obvious and unpatentable in view of the combined teachings of U.S. Patent No. 5,798,752 to Buxton et al and the cited Herrin publication.

As noted earlier, the Applicant offers digitizers and wireless mouse pointing devices for use with bundled application program software. In accordance with the present invention, an application program includes a compatible instruction set with an application program emulator enabling use of bundled input devices (e.g., a digitizer stylus and mouse) by the efficient two-handed method as disclosed in the application (see, e.g., the detailed description of pages 29-32).

Applicants pointed out the inapplicability of Buxton, et al, which does include a discussion on use of a "translator" for modifying pointer signals into a "universal language" (see, e.g., Buxton's description at column 10, beginning at line 60), but Buxton's translator does not incorporate an instruction set which is demonstrated, in advance, to be compatible with a specific application program, as recited in the claims. The instruction set of the present invention, combined with the two input differing input device structure, are not shown or suggested by Buxton et al.

The Buxton et al reference also does not permit a user to work in the efficient manner described in the instant application, and claimed in claims 24-29. Buxton (at column 5, line 48) teaches as follows:

> "The present invention allows the user to make extremely effective use of the non-dominant hand. Except during typing, user interfaces based on mouse and keyboard make poor use of a user's non-dominant hand. The dominant hand participates actively in tasks while the non-dominant hand is relegated to occasionally holding down modifier keys. The present invention allows the non-dominant hand to participate more equally in the interaction by providing a positioning device, such as a trackball, to position the tools, and having the user operate the positioning device with the non-dominant hand. The tools do not have to be positioned precisely. By bringing tools near (or, in some embodiments, onto) displayed objects, **the non-dominant hand can simultaneously select both a command and potential operands. The strong hand applies the command by making a detailed operand selection, e.g., by selecting the tool or the object.**" (emphasis added.)

Thus, Buxton teaches that the user's dominant, strong or favored hand "makes an operand selection by "simultaneously select[ing] both a command and potential operands."

The system and method of the present invention differs in that the user's favored hand is used to specify a position on a display screen while the user's non-favored hand provides an input for changing the display state (e.g., position or size). This difference is defined in the claims.

In the most recent office action, the new reference ("*CIM Perspectives; Part Program Translation/Emulation,* by Golden E. Herrin, Product Manager, Seimens, Inc., published

through MMS online on September 11th 2001) is added to supplement the support for the rejection, but, as noted above, the Herrin article cannot be properly relied on as prior art because it was published in September of 2001, after the priority date of the instant application, February 15th, 2001, as claimed in applicant's declaration.

Even if the Herrin article were a prior art reference, it would not be properly combinable with the Buxton et al reference simply because a person of skill in the computer input system art would never look to trade publication on numerically controlled machine tools for inspiration on how one might more effectively use a plurality of pointing devices when moving objects around on a computer's display.

In addition, if our hypothetical person of skill in the art were, without benefit of hindsight (from the instant application), to attempt to combine these disparate teachings into a structure or method, the result is not something that would include the positively recited structural elements of claims 1-23 and 30 or the method steps of claims 24-29.

Independent claims 1, 16, 23, 24 and 30 were previously amended to more clearly point out the novel features of the present invention. Method claim 24 has now been twice amended to more clearly point out the novel and efficient method practicable with the present invention, so this rejection is respectfully traversed and is believed to be obviated in view of the foregoing amendments.

Dependant claims 2-15, 17-22, and 25-29 depend from independent claims 1, 16, and 24 adding further limitations thereto and so are believed to be allowable over Buxton et al and the remaining art of record for the same reasons noted above.

Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, the present application is now believed to be in condition for allowance. The Examiner is asked to consider entering this response and amendment and pass the application to allowance.
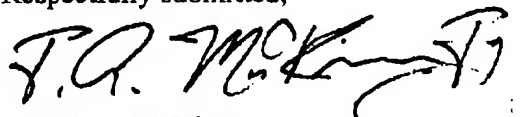
Further and favorable consideration is requested.

It is not believed that extensions of time or fees are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims or the additional of independent claims in excess of three) is hereby authorized to be charged to Deposit Account No. 50-0548 and the undersigned is requested to be notified of any such charges.

Should the Examiner have any questions, he is requested to contact the undersigned.

Respectfully submitted,

Date: 6/28/04

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